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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 SCOTT H. BEDARD,

7 Plaintiff,

8 v.

9 NEVADA DEPARTMENT OF
CORRECTIONS, *et al.*,

10 Defendants.

Case No. 3:18-cv-00218-MMD-CLB

ORDER

11 Plaintiff Scott Bedard filed a civil rights complaint under 42 U.S.C. § 1983. (ECF
12 No. 5.) Before the Court is the Report and Recommendation (“R&R”) of United States
13 Magistrate Judge Carla L. Baldwin (ECF No. 44), recommending that Defendants’ motion
14 for summary judgment (ECF No. 35) be granted and that judgment enter accordingly.
15 Bedard had until March 21, 2022, to file an objection. To date, no objection to the R&R
16 has been filed. For this reason, and as explained below, the Court adopts Judge Baldwin’s
17 R&R in full.

18 The Court “may accept, reject, or modify, in whole or in part, the findings or
19 recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party
20 fails to object to a magistrate judge’s recommendation, the Court is not required to
21 conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas*
22 *v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114,
23 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and
24 recommendations is required if, but *only* if, one or both parties file objections to the
25 findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory
26 Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no
27 clear error on the face of the record in order to accept the recommendation.”).

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1 Because there is no objection, the Court need not conduct *de novo* review, and is
2 satisfied Judge Baldwin did not clearly err. Here, Judge Baldwin recommends summary
3 judgment be granted to Defendants as Bedard failed to meet his burden of establishing
4 that prison officials were deliberately indifferent to his Hep-C condition. (ECF No. 44 at
5 9.) Specifically, Bedard did not come forward with any evidence to create an issue of fact
6 regarding whether Defendants deliberately denied, delayed, or intentionally interfered
7 with the treatment plan. (*Id.*) Moreover, Judge Baldwin recommends summary judgment
8 be granted to Defendants as Bedard has not alleged facts to support his proposition that
9 being treated for his Hep-C condition through a different treatment method than the one
10 he preferred, amounts to an adverse action. (*Id.* at 10-11.) Nor does Bedard allege his
11 First Amendment activity motivated Defendants' response to his grievances. (*Id.*) The
12 Court agrees with Judge Baldwin. Having reviewed the R&R and the record in this case,
13 the Court will adopt the R&R in full.

14 It is therefore ordered that Judge Carla L. Baldwin's Report and Recommendation
15 (ECF No. 44) is accepted and adopted in full.

16 It is further ordered that Defendants' motion for summary judgment (ECF No. 35)
17 is granted.

18 The Clerk of Court is directed to enter judgment accordingly and close this case.

19 DATED THIS 30th Day of March 2022.

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24 MIRANDA M. DU
25 CHIEF UNITED STATES DISTRICT JUDGE
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